

REMARKS

In this preliminary amendment, Claims 1, 9 and 16 have been amended. Claims 1-4, 6-11, 14-16 and 18-21 remain in the application (Claims 5, 12, 13 and 17 have previously been cancelled), with Claims 1, 9 and 16 being the only independent claims. Favorable reconsideration, in view of the accompanying remarks, is respectfully requested.

Initially, it is noted that the Examiner has not officially addressed whether the proposed changes to the drawings and the specification, which were included in the Amendment filed July 29, 2005, are accepted/approved by the Examiner. It is respectfully requested that the Examiner formally address this issue in the next action issued in this case.

As amended, Claim 1 now recites in part:

the drum-in-hat parking and emergency brake includes a park brake cable end assembly including a lever pivotally supported on a link and a parking brake cable operatively connected to the lever, the lever including a main body, a first end and a second generally *G-shaped end* which is adapted to accommodate either the parking brake cable having a S-shaped cable end or a clevis shaped cable end, the *G-shaped end having a rear leg, a bottom leg, a front leg and a slot formed therein, the slot including an outermost opening defined between a first surface of the front leg and a surface of the main body, an intermediate opening defined between a surface of the rear leg and a second surface of the front leg, and an innermost opening defined between the surface of the rear leg and a third surface of the front leg, wherein at least a portion of the surface of the main body is spaced apart from and in overlaying relationship with at least a portion of the first surface of the front leg so as to project over and cover the at least a portion of the first surface of the front leg and wherein when the parking brake cable is connected to the lever said parking brake cable can be pulled only in the direction of said outermost opening of said slot against the front leg.* (Emphasis added).

None of the cited references, alone or in combination, discloses or suggests such a

drum-in-hat disc brake assembly having the “specific limitations” recited above in Claim 1.

Specifically, neither U.S. Patent No. 5,180,037 to Evans, U.S. Patent No. 6,390,248 to Ikeda, drawing figure 3 of applicant’s admitted prior art, U.S. Patent No. 6,427,653 to Hara nor U.S. Patent No. 6,116,103 to Heckel, alone or in combination discloses or suggests the *limitations required above in Claim 1* that the drum-in-hat parking and emergency brake includes a park brake cable end assembly including a lever having a “*G-shaped end which is adapted to accommodate either the parking brake cable having a S-shaped cable end or a clevis shaped cable end*”; that the slot includes “*an outermost opening defined between a first surface of the front leg and a surface of the main body*”; and *wherein when the parking brake cable is connected to the lever said parking brake cable can be pulled only in the direction of said outermost opening of said slot against the front leg*” (i.e., to the *right* in “amended” drawing Fig. 4 as shown by the arrow labelled “Pulling Direction”). This is clearly not disclosed or suggested in U.S. Patent No. 6,390,248 to Ikeda which teaches that the pulling direction must be *opposite the direction of the opening and against the bottom leg 93* (i.e., to the *left* in Ikeda drawing Fig. 7 as shown by the arrow labelled “Pulling Direction”). Accordingly, it is believed that Claim 1, along with dependent Claims 2-4 and 6-8, are patentable over the cited references.

Claim 9 has been amended and contains similar limitations to that of Claim 1. Accordingly, for those reasons discussed above with respect to Claim 1, it is believed that Claim 9, along with dependent Claims 10, 11, 14, 15 and 21, are patentable over the cited references.

Claim 16 has been amended and contains similar limitations to that of Claim 1. Accordingly, for those reasons discussed above with respect to Claim 1, it is believed that Claim 16, along with dependent Claims 18, 19 and 20, are patentable over the cited references.

In view of the above amendments and accompanying remarks, it is believed that the application is in condition for allowance. However, if the Examiner does not believe that the above remarks and amendments place the application in condition for

allowance, or if the Examiner has any comments or suggestions, it is requested that the Examiner contact the Applicants attorney at (419) 255-5900 to discuss the application prior to the issuance of an action in this case by the Examiner.

Respectfully submitted,



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